

**NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 30, 2004**

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed 63 members present.

Absent and excused -- Crow, Kellogg, Nielsen, Ridinger, Schaefer, Shepherd, Smith(24). Total -- 7.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Elizabeth Keaton, Page.

**Approval of Journal**

January 30, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

**Report of Standing Committees**

January 30, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 578, H 579, H 580, H 581, HJR 6, HJR 7, and HJR 8.**

FIELD(18), Chairman

**H 578** was referred to the Transportation and Defense Committee.

**H 579** was referred to the Health and Welfare Committee.

**H 580, H 581, and HJR 8** were referred to the State Affairs Committee.

**HJR 6 and HJR 7** were referred to the Revenue and Taxation Committee.

January 29, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 508** and recommend it be referred to the State Affairs Committee.

FIELD(18), Chairman

**H 508** was referred to the State Affairs Committee.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 37**

**BY TRAIL**

A CONCURRENT RESOLUTION

PROVIDING FOR THE ADOPTION OF A NEW JOINT RULE 21 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the House of Representatives and the Senate deem it necessary and advisable to adopt a new Joint Rule providing special conditions governing certain bills.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Joint Rules of the Senate and the House of Representatives be amended by the addition thereto of a new Joint Rule 21 to read as follows:

JOINT RULE 21

Certain Appropriation Bills.--Any bill which originates in the Senate Finance Committee or the House Appropriations Committee, which appropriates moneys and which also contains in the body of the bill an amendment to the statutes of the state of Idaho, shall not become law except with the concurrence of a two-thirds majority of the membership of each house and after a public hearing has been conducted.

**HOUSE CONCURRENT RESOLUTION NO. 38**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

A CONCURRENT RESOLUTION

PROPOSING A NEW JOINT RULE 22 TO THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the members of the House of Representatives and the Senate believe that a new Joint Rule 22 should be added to the Joint Rules of the Senate and the House of Representatives to provide for taking and recording testimony, under oath, regarding legislative business involving bonds.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Joint Rules of the Senate and the House of Representatives be amended by the addition thereto of a new Joint Rule to read as follows:

JOINT RULE 22

**Taking and Recording Testimony Under Oath.**--Whenever conducting legislative business regarding issuance of bonds involving the state, a political subdivision of the state or an independent body corporate politic, a committee shall require that testimony be given under oath, which shall be administered by the chairman or by a person authorized by law to administer oaths. The chairman may require that the testimony be recorded by an official court reporter or by some other competent person, under oath, which report, when written, certified and approved by the person as being the direct transcript of the testimony, proceedings or documents, shall be prima facie a correct statement of the testimony and proceedings provided that the person's signature to the certificate shall be duly acknowledged by him before a notary public. Any person who takes an oath pursuant to this rule shall be notified that if the person under oath states as true any material matter which he knows to be false is guilty of perjury and shall be punished pursuant to chapter 54, title 18, Idaho Code.

**HOUSE JOINT MEMORIAL NO. 14  
BY HARWOOD AND MCKAGUE  
A JOINT MEMORIAL**

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the United States of America became an independent, sovereign nation for reasons expressed in the Declaration of Independence and as the result of a bloody War of Independence; and

WHEREAS, the Constitution of the United States of America is, and rightfully must remain, the supreme law of the land; and

WHEREAS, the Constitution of the United States of America provides for limited, nondelegable and diffuse powers of government which are separated among the Congress, the President and the Judiciary; and

WHEREAS, the Constitution of the United States of America preserves the powers and duties of the individual states; and

WHEREAS, the Constitution of the United States of America guarantees personal liberties of each individual citizen; and

WHEREAS, the American system of government is based on the "self-evident truth" that "men...are endowed by their Creator" with rights that no government can justly abrogate; and

WHEREAS, the United Nations' Universal Declaration of Human Rights claims power to limit the exercise of basic rights and states that no "rights and freedom may be exercised contrary to the purposes and principles of the United Nations"; and

WHEREAS, the Charter of the United Nations falsely purports to supersede the independence and sovereignty of the United States and the Constitution of the United States of America and usurp powers delegated therein, to wit:

(1) By concentrating in the Security Council control and use of certain American military personnel and the military personnel of all member nations for its own purposes without any accountability, in violation of the exclusive power of Congress to declare war; and

(2) By seeking authority to tax citizens of the United States and of other member nations directly to support United Nations activities; and

(3) By sponsoring an International Criminal Court which violates the rights of the accused as well as the Constitution of the United States, in that it:

(a) Has no legitimate judicial authority and lacks any body of laws by which to adjudicate cases, the authority to enact such laws resting exclusively with sovereign nations; and

(b) Merges the functions of prosecutor and adjudicator into one office, contrary to the Constitution of the United States; and

(c) Fails to provide any appeal from adjudications at the trial level; and

(d) Fails to provide for a trial by a jury of the accused's peers; and

(e) Fails to require that the accused be confronted by his accusers, providing instead for the use of hearsay testimony; and

(f) Fails to provide for the accused the right to compel the production of witnesses; and

(g) Allows evidence obtained from the accused by compulsion; and

(h) Denies other fundamental rights recognized in the constitutional jurisprudence of the United States of America.

WHEREAS, the General Assembly of the United Nations continues to place rogue, terrorist nations such as Cuba, Libya and Syria in positions of membership and leadership on its Human Rights Commission, in defiance of norms of common decency, morality and justice; and

WHEREAS, the flaws and founding precepts of the United Nations are the antithesis of this nation's independence and sovereignty, its Constitution, and basic principles of justice and human dignity to the point that the United Nations is incapable of restructuring or reformation to correct the aforesaid flaws.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we forcefully and respectfully urge the Idaho delegation in the United States Congress to support enactment of H.R. 1146, a bill before Congress to have the United States withdraw fully and completely from the United Nations, and further to cease forthwith any and all funding of the United Nations and any of its agencies, or any group with any association therewith whatsoever.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 37, HCR 38, and HJM 14** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 582**

**BY RINGO**

**AN ACT**

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029K, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT TO A RESIDENT INDIVIDUAL OR PART-YEAR RESIDENT INDIVIDUAL BASED ON A PERCENT OF THE AMOUNT OF THE FEDERAL EARNED INCOME TAX CREDIT CLAIMED ON THE INDIVIDUAL'S FEDERAL INCOME TAX RETURN AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-3024, IDAHO CODE, TO PROVIDE, FOR TAXABLE YEAR 2004 AND EACH TAXABLE YEAR THEREAFTER, FOR ONE ADDITIONAL INCOME BRACKET AND AN INCREASED RATE OF TAXATION FOR THAT BRACKET; AMENDING SECTION 63-3024A, IDAHO CODE, TO PROVIDE THAT A RESIDENT INDIVIDUAL WHO HAS NOT REACHED HIS SIXTY-FIFTH BIRTHDAY AND IS NOT REQUIRED BY LAW TO FILE AN IDAHO INCOME TAX RETURN AND WHO HAS RECEIVED NO CREDIT OR REFUND UNDER ANY OTHER SUBSECTION OF THIS SECTION, SHALL BE ENTITLED TO A REFUND OF TWENTY DOLLARS AND TO PROVIDE ANY REFUND SHALL BE PAID TO SUCH INDIVIDUAL ONLY UPON HIS MAKING APPLICATION THEREFOR AT SUCH TIME AND IN SUCH MANNER AS MAY BE PRESCRIBED BY THE STATE TAX COMMISSION FOR CARRYOVER AUTHORITY FOR UNUSED GROCERY TAX CREDITS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 583**

**BY TRAIL**

**AN ACT**

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; REPEALING SECTIONS 33-907, 33-1018 AND 33-1018A, IDAHO CODE; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE THE SCHOOL DISTRICTS' CONTRIBUTION CALCULATION; AMENDING SECTION 33-1002D, IDAHO CODE, TO ELIMINATE A LIMIT ON THE AMOUNT TO BE DISTRIBUTED FOR PROPERTY TAX RELIEF; AMENDING SECTION 33-1004A, IDAHO CODE, TO ELIMINATE A CAP IMPOSED UPON GROWTH OF THE EXPERIENCE AND EDUCATION MULTIPLIER FOR INSTRUCTIONAL SALARIES; AND AMENDING SECTION 33-1009, IDAHO CODE, TO REVISE THE METHODOLOGY FOR PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND.

**HOUSE BILL NO. 584**

**BY TRAIL**

**AN ACT**

RELATING TO THE VOLUNTARY CONTRIBUTIONS ACT; REPEALING CHAPTER 26, TITLE 44, IDAHO CODE, AND REPEALING SECTIONS 4 AND 5, CHAPTER 97, LAWS OF 2003, RELATING TO THE VOLUNTARY CONTRIBUTIONS ACT; AMENDING SECTION 44-2004, IDAHO CODE, TO STRIKE LANGUAGE PROVIDING THAT DEDUCTIONS FOR POLITICAL ACTIVITIES AS DEFINED IN THE VOLUNTARY CONTRIBUTIONS ACT SHALL NOT BE DEDUCTED FROM THE WAGES, EARNINGS OR COMPENSATION OF AN EMPLOYEE AND TO STRIKE LANGUAGE PROVIDING THAT NOTHING IN THE RIGHT TO WORK LAW SHALL PROHIBIT AN EMPLOYEE FROM PERSONALLY PAYING CONTRIBUTIONS FOR POLITICAL ACTIVITIES; AMENDING SECTION 67-6605, IDAHO CODE, TO PROVIDE THAT A POLITICAL COMMITTEE MAY SOLICIT OR OBTAIN CONTRIBUTIONS ON AN AUTOMATIC BASIS INCLUDING, BUT NOT LIMITED TO, A PAYROLL DEDUCTION PLAN ONLY IF THE PERSON WHO IS CONTRIBUTING TO THE POLITICAL COMMITTEE AFFIRMATIVELY CONSENTS IN WRITING TO THE CONTRIBUTION AT LEAST ONCE EVERY CALENDAR YEAR AND TO DELETE LANGUAGE PROVIDING THAT A POLITICAL COMMITTEE MAY SOLICIT OR OBTAIN CONTRIBUTIONS FROM INDIVIDUALS AS PROVIDED IN THE VOLUNTARY CONTRIBUTIONS ACT OR AS PROVIDED IN THE STATE'S RIGHT TO WORK LAW; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 585**

**BY BUSINESS COMMITTEE**

**AN ACT**

RELATING TO INSPECTIONS OF MODULAR BUILDINGS OR MANUFACTURED HOUSING; AMENDING SECTION 39-4103, IDAHO CODE, TO PROVIDE AN EXEMPTION TO MODULAR BUILDINGS IF CERTAIN CIRCUMSTANCES OCCUR; AMENDING SECTION 39-4105, IDAHO CODE, TO REVISE THE DEFINITION OF "MODULAR BUILDING"; AMENDING SECTION 39-4107, IDAHO CODE, TO PROVIDE POWERS AND DUTIES OF THE ADMINISTRATOR OF BUILDING SAFETY; AMENDING CHAPTER 10, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1001D, IDAHO CODE, TO PROVIDE FOR INSPECTIONS OF MODULAR BUILDINGS; AMENDING SECTION 54-1005, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY MAY MAKE ELECTRICAL INSPECTIONS FOR ANOTHER STATE OR LOCAL JURISDICTION UNDER CERTAIN CIRCUMSTANCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-1016, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE AN EXEMPTION TO CERTAIN MODULAR BUILDINGS; AMENDING SECTION 54-2602, IDAHO CODE, TO PROVIDE AN EXCEPTION TO A MODULAR BUILDING AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2607, IDAHO CODE, TO PROVIDE ADDITIONAL POWERS AND DUTIES TO THE

ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY; AMENDING CHAPTER 26, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2622A, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY MAY INSPECT PLUMBING SYSTEMS OF ANY MODULAR BUILDING UPON WRITTEN REQUEST FROM THE MANUFACTURER; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 586**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO USING PUBLIC POSITION FOR PERSONAL GAIN; AMENDING SECTION 18-1359, IDAHO CODE, TO PROHIBIT THE MEMBERS OF A HOUSEHOLD OF A MAYOR, CITY COUNCIL MEMBER OR COUNTY COMMISSIONER FROM BEING APPOINTED TO ANY OFFICE IN OR EMPLOYED IN THE LOCAL UNIT OF GOVERNMENT WHERE COMPENSATION IS PAID OUT OF PUBLIC FUNDS, TO PROVIDE THAT AN EMPLOYEE OF A GOVERNMENTAL ENTITY HOLDING A POSITION PRIOR TO THE ELECTION OF A LOCAL GOVERNMENT OFFICIAL WHO IS A MEMBER OF THE OFFICIAL'S HOUSEHOLD SHALL BE ENTITLED TO RETAIN HIS OR HER POSITION AND RECEIVE CERTAIN PAY INCREASES AND TO DEFINE THE TERM "MEMBER OF A HOUSEHOLD" AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 587**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO SURRENDER OF DEFENDANTS BY BAIL; AMENDING SECTION 19-2924, IDAHO CODE, TO PROVIDE THAT THE BAIL OR BAIL BONDSMAN SHALL, THE NEXT JUDICIAL DAY, FILE WITH THE COURT IN WHICH THE ACTION OR APPEAL IS PENDING THE CERTIFICATE OF SURRENDER, AND SHALL DELIVER A COPY OF THE SAME TO THE COUNTY PROSECUTING ATTORNEY AND TO PROVIDE THAT NO BAIL OR BAIL BONDSMAN SHALL SURRENDER A DEFENDANT TO ANY COUNTY SHERIFF OTHER THAN THE COUNTY SHERIFF WHERE THE ACTION IS PENDING.

**HOUSE BILL NO. 588**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO ARCHAIC STATUTES PERTAINING TO COUNTY SHERIFFS; REPEALING SECTIONS 8-124, 8-125, 20-608 AND 20-611, IDAHO CODE, RELATING TO ESCAPE LIABILITY FOR SHERIFFS, RELATING TO ESCAPE JUDGMENT AGAINST SHERIFFS, RELATING TO REMOVAL OF PRISONERS IN CASE OF FIRE AND RELATING TO EMPLOYMENT OF TEMPORARY GUARDS AT THE JAIL.

**HOUSE BILL NO. 589**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO BAIL; AMENDING SECTION 19-2925, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS LICENSED AS BAIL AGENTS OR PEACE OFFICERS MAY BE EMPOWERED BY THE BAIL TO ARREST A DEFENDANT FOR SURRENDER.

**HOUSE BILL NO. 590**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO THE IDAHO COMMONSENSE CONSUMPTION ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 87, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO LIMIT CIVIL LIABILITY RELATING TO THE LONG-TERM CONSUMPTION OF FOOD, TO PROVIDE EXEMPTIONS, TO DEFINE TERMS, TO SET FORTH REQUIREMENTS FOR PLEADINGS, TO PROVIDE FOR THE STAY OF DISCOVERY AND OTHER PROCEEDINGS; AND TO PROVIDE FOR APPLICATION TO CLAIMS.

**HOUSE BILL NO. 591**

**BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE**

**AN ACT**

RELATING TO INMATES SENTENCED TO THE CUSTODY OF THE STATE BOARD OF CORRECTION; AMENDING CHAPTER 1, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-101E, IDAHO CODE, TO PROVIDE A PROGRAM WHERE INMATES MAY EARN A REDUCTION OF THEIR SENTENCE IF THEY ARE ELIGIBLE AND COMPLY WITH A PERSONALIZED PROGRAM PLAN, TO PROVIDE DETAILS OF THE PLAN, TO PROVIDE PROCEDURES, TO PROVIDE THE AMOUNT OF A TERM A COMMITTED OFFENDER MAY HAVE REDUCED, TO PROVIDE FOR FORFEITURE, WITHHOLDING OR RESTORATION OF EARNED TIME REDUCTIONS AND TO PROVIDE APPLICATION; AMENDING SECTION 19-2513, IDAHO CODE, TO PROVIDE HOW AN OFFENDER CAN BE ELIGIBLE FOR PAROLE OR DISCHARGE OR CREDIT OR REDUCTION OF SENTENCE; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

**HOUSE BILL NO. 592**

**BY RESOURCES AND CONSERVATION COMMITTEE**

**AN ACT**

RELATING TO WATER STORAGE AND MINE TAILINGS DAMS; AMENDING SECTION 42-1717, IDAHO CODE, TO PROVIDE THAT ALL DAMS OR MINE TAILINGS IMPOUNDMENT STRUCTURES REGULATED BY THE DEPARTMENT OF WATER RESOURCES SHALL BE INSPECTED AT LEAST ONCE EVERY FIVE YEARS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 593**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
 AN ACT

RELATING TO DAM SAFETY DESIGN REVIEW FEES; AMENDING SECTION 42-1713, IDAHO CODE, TO PROVIDE FOR A MINIMUM FEE IN ADDITION TO THE AMOUNT SET FORTH IN THE FEE SCHEDULE BASED ON RESERVOIR STORAGE CAPACITY AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 594**  
**BY LANGFORD**  
 AN ACT

RELATING TO THE VALUATION OF LAND ACTIVELY DEVOTED TO AGRICULTURE; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 43, TITLE 63, IDAHO CODE, TO DEFINE THE AGRICULTURAL LAND PRESERVATION TAX, TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CERTAIN COUNTIES TO SUBJECT CERTAIN FORMERLY AGRICULTURAL LANDS TO THE TAX AND TO PROVIDE THAT THE TAX IS A PROPERTY TAX UNDER SECTION 63-206, IDAHO CODE, TO PROVIDE THE METHOD OF COMPUTATION OF THE TAX, TO PROVIDE FOR THE REMITTANCE OF THE REVENUE COLLECTED FROM THE TAX, TO PROVIDE THE RIGHT TO REVIEW THE JUDGMENT PROCEDURE IN THE DETERMINATION OF THE TAX, TO PROVIDE FOR THE CONTINUATION OF VALUATION AS LAND ACTIVELY DEVOTED TO AGRICULTURE AFTER THE SALE OF THE LAND WHEN THE AGRICULTURAL USE IS MAINTAINED AND TO PROVIDE FOR APPLICATION OF THE TAX TO THE PORTION OF THE LAND WITHDRAWN FROM USE FOR AGRICULTURAL PURPOSES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE THREE PERCENT CAP FOR CERTAIN COUNTIES THAT COLLECT THE AGRICULTURAL LAND PRESERVATION TAX; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 595**  
**BY RINGO**  
 AN ACT

RELATING TO RULES OF THE DIVISION OF HUMAN RESOURCES; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5309D, IDAHO CODE, TO CREATE THE HUMAN RESOURCES REVIEW COMMITTEE, TO SET FORTH THE COMPOSITION OF THE COMMITTEE, TO PROVIDE FOR MEETINGS AND TO REQUIRE THE SUBMISSION OF A REPORT TO THE LEGISLATURE; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE JOINT RESOLUTION NO. 9**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE III, OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE

ADDITION OF A NEW SECTION 28, ARTICLE III, TO PROVIDE THAT ONLY MARRIAGE BETWEEN ONE MAN AND ONE WOMAN AT ONE TIME SHALL BE RECOGNIZED AS VALID IN THIS STATE AND THAT NO OTHER RELATIONSHIP SHALL BE RECOGNIZED AS A MARRIAGE OR ITS LEGAL EQUIVALENT BY THE STATE OF IDAHO OR ITS POLITICAL SUBDIVISIONS, REGARDLESS OF WHETHER SUCH RELATIONSHIP IS RECOGNIZED BY THE LAWS OF ANY JURISDICTION OUTSIDE OF THIS STATE; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 582, H 583, H 584, H 585, H 586, H 587, H 588, H 589, H 590, H 591, H 592, H 593, H 594, H 595, and HJR 9** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 473**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 533** and **H 534**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1213, S 1216, S 1217, and S 1218**, by Finance Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Thirteenth Order of Business.

**Miscellaneous and Unfinished Business**

HOUSE OF REPRESENTATIVES  
 Speaker of the House

January 29, 2004

All House Members:

After reviewing the House and Senate Joint rules and the Constitution of the State of Idaho it has been determined that any Joint Resolution will be passed from committee by a simple majority. Joint Resolutions will require a 2/3 majority of the membership for passage on the House floor pursuant to Article XX Section 1 of the Constitution of the State of Idaho and Joint Rule 6 of the House and Senate of the State of Idaho.

Sincerely,  
 /s/ BRUCE NEWCOMB  
 Speaker of the House

There being no objection, the House returned to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **H 565**, **H 566**, **H 501**, and **H 535** retain their places on the Third Reading Calendar until Monday, February 2, 2004. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 11:15 a.m., Monday, February 2, 2004. Seconded by Ms. Boe. Motion carried.

Whereupon the Speaker declared the House adjourned at 8:24 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk